



**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

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*The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007*

December 20, 2019

**BY EMAIL & ECF**

The Honorable Paul A. Engelmayer  
United States District Judge  
Southern District of New York  
40 Foley Square  
New York, New York 10007

**Re: *United States v. Michael Solomon Markowitz, a/k/a "Sol" et al.*, 19 Cr. 824  
(PAE)**

Dear Judge Engelmayer:

The Government writes (1) to update the Court regarding the status of the Government's production of discovery pursuant to Federal Rule of Criminal Procedure ("Fed. R. Crim. P." or "Rule") 16; (2) to request the adjournment of dates set at the initial conference; and (3) to submit a proposed protective order to govern the handling of discovery in this matter.

On November 20, 2019, at the initial conference, the Court ordered the Government to complete the production of discovery by December 31, 2019. The Government noted it would comply, but alerted the Court and the parties that the evidence included voluminous electronic data seized pursuant to a Rule 41 search warrant executed at the home office of defendant Markowitz to which the Government did not yet have full access (the "CART Evidence"). The CART Evidence includes a desktop computer, a laptop computer, and several USB drives, each of which contains a "back-up" of another computer. Together, these electronic media contain more than 2.7 million documents and 1.93 terabytes of data. The Government is actively reviewing this material but does not anticipate that its review will be complete by December 31. Accordingly, and with the consent of all parties, the Government respectfully requests that the Court adjourn the deadline by which the CART Evidence must be produced to January 31, 2020, with all other discovery produced by December 31, 2019.

In light of the foregoing, the parties jointly request that the deadline for defense counsel to advise the Court of its potential motions, as well as the trial date, be adjourned by one month.

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Finally, the Government attaches hereto as Attachment 1 a proposed protective order to govern the use and handling of evidence produced in connection with this matter.

Respectfully submitted,

GEOFFREY S. BERMAN

United States Attorney

By:

s/

David Abramowicz

Jilan Kamal

Michael McGinnis

Assistant United States Attorneys

(212) 637-6525 / 2192 / 2305

The motion is granted in part. The new deadline for production of the CART evidence is January 17, 2020. All other discovery must be produced by December 31, 2019. The request to adjourn the deadline for pretrial motions and the June 15, 2020 trial date is **denied**.  
SO ORDERED.



PAUL A. ENGELMAYER 12/23/2019  
United States District Judge